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## Merchant &amp; Gould

An Intellectual Property Law Firm

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May 7, 2004

To: Commissioner for Patents  
Company: USPTO  
Your Ref: 09/888,358 Adams et al.  
Fax No.: 703.872.93063  
Phone No.: 703.872.9305  
State/Country: D.C./U.S.A.  
Confirmation Via Mail: ☐ Yes ☒ No

From: Katherine M. Kowalchyk  
Our Ref.: 11669.0187USU2  
Fax No.: 612.332.9081  
Phone No.: 612.371.5311  
Total Pages: 5  
E-Mail: [kkowalchyk@merchant-gould.com](mailto:kkowalchyk@merchant-gould.com)  
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Title of Documents Transmitted:

Fax Transmission (in duplicate): Notice of Appeal; and Petition for Extension of Time

Applicant: Adams et al.  
Serial No.: 09/888,358  
Filed: June 22, 2001  
Group Art Unit: 1634  
Our Ref. No.: 11669.0187USU2

Please charge Deposit Account No. 13-2725 in the amount of \$1,280.00 (\$330.00 to cover the required fee for filing a Notice of Appeal, and \$950.00 to cover the required fee for filing a three month extension for a large entity. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

23552

PATENT TRADEMARK OFFICE

By: Katherine M. Kowalchyk  
Name: Katherine M. Kowalchyk  
Reg. No.: 36,848

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Confirmation Via Mail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To: Lynnda Kraft 31.W12

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S/N 09/888,358

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Adams et al.	Examiner:	Sakelaris, Sally A.
Serial No.:	09/888,358	Group Art Unit:	1634
Filed:	June 22, 2001	Docket No.:	11669.0187USU2
Title:	CGI-69 COMPOSITIONS AND METHODS OF USE		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on

May 7, 2004.

By:

Name: Lynda Kraft

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 32, 35, 36 and 38-53 of the above-identified application, as set forth in the Office Action mailed November 10, 2003.

Please charge Deposit Account No. 13-2725 in the amount of \$330.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Also enclosed is a Petition for three-month extension of time to respond to the final rejection, thereby extending said period of response from February 10, 2004 to May 10, 2004. Please charge Deposit Account No. 13-2725 in the amount of \$950.00 to cover the required extension fee for large entity.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,  
Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903

Date: May 7, 2004

Kathy M Kowalchyk  
Kathy M. Kowalchyk  
Reg. No. 36,848

KMK:EED:lek

